

**MINUTES OF THE  
ADMINISTRATIVE RULES REVIEW COMMITTEE**  
Friday, March 6, 2009 – 5:00 p.m. – Room C445 State Capitol

**Members Present:**

Sen. Howard A. Stephenson, Senate Chair  
Rep. Ben C. Ferry, House Chair  
Sen. Brent H. Goodfellow  
Sen. Mark B. Madsen  
Pres. Michael G. Waddoups  
Rep. Merlynn T. Newbold

**Members Excused:**

Sen. Gene Davis  
Rep. James R. Gowans  
Rep. Kory M. Holdaway  
Rep. Carol Spackman Moss

**Staff Present:**

Mr. Arthur L. Hunsaker, Policy Analyst  
Ms. Susan Creager Allred, Associate General Counsel  
Ms. Tracey Fredman, Legislative Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.leg.utah.gov](http://www.leg.utah.gov).

**1. Committee Business**

Chair Ferry called the meeting to order at 5:10 p.m.

**2. R277-438, Dual Enrollment; and R277-494, Charter School and Online Student Participation in Extracurricular or Co-curricular School Activities**

Mr. Hunsaker introduced the issue with background information.

Sen. Madsen reported that what was deleted from R277-438 was duplicate language, and as a result, the provision still exists in rule.

Sen. Madsen said that the structure of the fee scale in R277-494 shows an error in the calculation. He said there was agreement that the numbers needed to be checked and that a revision would be made in time for the April State School Board meeting, when a new rule would be adopted to reflect the correction. Sen. Madsen also stated that when the rule is corrected overpaid fees should be refunded.

Mr. Larry Shumway, Deputy State Superintendent of Public Instruction, stated that it was the Board's intent to review the data, collect additional information as needed, and involve Sen. Madsen and any other concerned persons, to correct the fee schedule in R277-494.

Mr. Lincoln Fillmore, Vice President, Utah Association of Public Charter Schools, expressed concern that charter school students are not being allowed to participate in public school programs.

Ms. Julie Adamic, Member, State Charter School Board, spoke in support of reconsidering the fee schedule and the inclusion of the Charter School Board in that process, and asked that the revised rule clarify that participation cannot be denied to charter school students.

Mr. Shumway commented that charter school students are eligible to participate in activities available through their neighborhood high school.

**3. Committee Business**

Chair Ferry welcomed Senator Brent H. Goodfellow as a member of the committee.

**4. Adjourn**

Chair Ferry adjourned the meeting at 5:25 p.m.